

**875—218.502(91D) Away from employer's place of business.****218.502(1)** Reserved.

**218.502(2)** Characteristically the outside salesperson is one who makes sales at the customer's place of business. This is the reverse of sales made by mail or telephone (except where the telephone is used merely as an adjunct to personal calls). Thus, any fixed site, whether home or office, used by a salesperson as a headquarters or for telephonic solicitation of sales must be construed as one of the employer's places of business, even though the employer is not in any formal sense the owner or tenant of the property. An outside salesperson does not lose the exemption by displaying samples in hotel sample rooms as the salesperson travels from city to city; these sample rooms should not be considered as the employer's places of business.

SOURCE: 29 CFR 541.502.